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**VIA ELECTRONIC FILING**

**October 17, 2024**

The Honorable Gabriel W. Gorenstein  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

**Re: Request for extension of email production deadline  
Tyler Erdman v. Adam Victor, et al., No. 20 Civ. 4162**

Dear Judge Gorenstein,

This letter is written to request an extension of the deadline of production of email accounts belonging to the defendant, as indicated in the Order of the Court dated October 2, 2024, presently set for October 17, 2024.

Paragraph 1.E of the Court's Individual Rules and Practices states requests for extensions of deadlines must state (1) the date or dates sought to be extended, (2) the number of previous requests for extensions, (3) the reason for the extension, and (4) whether the adversary objects and, if so, the reasons given by the adversary for objecting.

This is the second request for an extension of the email production deadline. The extension is needed so the Defendant can complete the collection and production of emails from the accounts indicated at the conference with the court dated September 6, 2024. On September 27 and 28, 2024, Mr. Victor and I attempted to export his emails utilizing Google Take-Out. Those attempts were unsuccessful. As a result, on September 30, I reached out to Joseph Eliya at

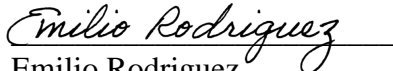
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a firm called Percipient to handle the exportation of the data. He provided instructions for us to be able to export the data to his system. Due to Mr. Victor's schedule, we could not make our first attempt until October 2. The instructions provided did not work on our client's Mac system. Therefore, it became necessary to meet with Mr. Eliya on October 3 so he could walk Mr. Victor through the process. The exportation of the data was begun on the 3<sup>rd</sup> and completed on October 8<sup>th</sup>. They then spent the next couple of days performing quality control checks of the exportation and completed the same as to the Gmail accounts on October 11. The only account that is proving difficult is the AOL account, which has many more emails than was originally thought. When the 70,000 AOL emails are collected, uploaded to our platform, and de-duplication along with proper searches are completed, numbers will be provided as to the number of emails collected. As of tonight, after searches were completed, 2315 emails were collected from the Gmail accounts for review.

Plaintiff was consulted today but did not provide an answer before the letter was due.

This letter proposes a change of the email production deadline from October 17, 2024, to October 31, 2024.

Yours faithfully  
**Polizzotto & Polizzotto, LLC**

  
Emilio Rodriguez

  
Alfred Polizzotto III